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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Honorable Phil Gramm
United States Senator
2323 Bryan Street, Suite 1500
Dallas, Texas 75201

Dear Senator Gramm:

This is in reply to your letter of February 5, 1993, in which you inquired on behalf of your constituent, Donald G. Hafer, Jr., regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

Mr. Hafer is specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

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Honorable Phil Gramm

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We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituent's concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due May 28, 1993, and Reply Comments are due July 14, 1993. We expect final rules to be issued in 1994. We urge your constituent to file formal comments on all aspects of the proposals.

Sincerely,



Ralph A. Haller
Chief, Private Radio Bureau

Enclosures

cc:

Chief, PRBureau

Chief, LM&M Divison

Docket Files, Room 222

P&P Branch File (Pink)

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LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE GLA 957
9300569	02/12/93	02/08/93	02/25/93	
TITLE	MEMBERS NAME	REPLY FOR SIG OF		
Senator	Phil Gramm	BC		
CONSTITUENT'S NAME		SUBJECT		
Donald G Hafer Jr		inq. comments on PR Docket 92-235		
REF TO	REF TO	REF TO	REF TO	
PRB/LmmD				
2-16-93				
DATE	DATE	DATE	DATE	
02/12/93				

REMARKS: Respond to the attention of Georg'a Brown in the
Dallas, TX office.

Phil Gramm
Texas

United States Senate

MEMORANDUM

Date:

2/5/93

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92-231
509

Federal Communications Commission
Office of Congressional Affairs
1919 "M" Street, NW
Washington, D.C. 20554

A constituent has sent the enclosed communication. A response which addressed his/her concerns would be appreciated.

Please send you response, together with the constituent's correspondence, to the following address:

Office of Senator Phil Gramm
2323 Bryan Street, Suite 1500
Dallas, Texas 75201

Attention: Georg'a Brown

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FEDERAL COMMUNICATIONS COMMISSION
PRIVATE MAIL ROOM

February 4, 1993

Phil Gramm
2323 Bryan St.
Dallas, Texas 75201

Dear Mr. Gramm:

I have been interested in aviation for as long as I can remember. I am very active in a local club whose members enjoy constructing and operating radio-controlled model airplanes. I personally own three radios, four R/C models and has a workshop full of other products necessary to operating my models.

I am very concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Dockets 91-295 and 92-235. If adopted the new rules will greatly reduce the usability of frequencies currently assigned for R/C model use and increase the risk of accidents and attendant liability.

Our radio-control frequencies are in the 72-76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio-control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

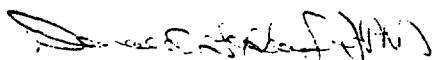
Now the FCC wants to create more land mobile frequencies by splitting them into narrower bandwidths and rearranging the band plan. As a result, many land mobile frequencies will move closer to the radio-control frequencies and cause interference to radio-control operations. Of the 50 frequencies presently available for radio control aircraft, only 19 will be left if these new rules are adopted. Of the 30 frequencies presently available for surface radio control products (i.e. cars, boats), only 15 will be left. And, these proposed FCC actions have the potential to affect even those frequencies left.

When we operate our R/C models, we go to great lengths to assure the safety of the operators and bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased.

I don't think it is wise of the FCC to seek to improve the operation conditions of land mobile radio users at the expense of the radio-control modelers. The FCC may not think we are not as important as business users of the radio, but we have a considerable investment in our models and in our radio equipment. It is a sizable industry that must be saved from these detrimental FCC actions. The hobby provides many hours of enjoyment to hundreds of thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72-76 MHz band. We all need your help urgently because the FCC has a deadline of February 26, 1993 after which it may become more difficult to avoid halting these proposals from going into effect.

Sincerely,



Donald G. Hafer, Jr., Ph.D.

DH/vm